

# **Exhibit 165**

*Redacted Public Version*

It did not allow me to send all photos in one turn so please refer to prior email first. Then use these 2 photos as part of the evidence that relates to my official letter of complaint. These 2 images show the description of the shoes on your website and the requirement of them being new and unworn. Both of which were not evident with my order.

Thank you, [REDACTED]

On Thu, Dec 30, 2021 at 7:18 PM Malinda B [REDACTED] wrote:

I have also attached this letter/email as a PDF document and have added all attachments outlined in it.



Official Letter of complaint about a product purchased online that is not of acceptable quality and does not match your description.

30<sup>th</sup> of December 2021

StockX

**Australian Authentication Address:**

Unit 6B, 153 Bertie Street  
Port Melbourne, VIC, 3207

**American StockX Address:**

1046 Woodland Ave  
Detroit, MI, 48226

Dear StockX customer support,

**Re: Formal letter of complaint and refund**

Outline of complaint:

- ? for the purchase of the Jordan 1 Retro High Spider-Man Origin Story shoes that **are not unacceptable quality as stated by your company** (a quality appropriate to the \$1,331.20 AUD I paid)
- ? **does not match description given to them by your company** (colours evident on the shoe do not match what you have stated on your website, shoes have been worn prior and show evidence of this through marking son the shoe which also does not match your description of Condition: New and unworn)
- ? Order number 29776394-29676153

On November 24<sup>th</sup>, 2021, I purchased a pair of Jordan 1 Retro High Spider-Man Origin Story shoes from your website through your StockX app that was delivered on December the 6<sup>th</sup>, 2021. I bought this product as a Christmas gift and paid \$1,331.20 AUD including a processing and shipping fee. This product was advertised at the time of purchase and still currently advertised with the following description and condition:

Description: This AJ1 comes with a white upper plus red accents, black Nike swoosh, **white midsole, and translucent sole** (I have added a screenshot confirming this description on your website and APP.)

Condition: 100% authentic and **New and Unworn.** (I have added evidence of this as advertised on your Website/App to this email/letter)

This product is not new and unworn and therefore is not of acceptable quality that you stated and committed to regarding my purchase. (I have attached photos of markings on the shoe including scuff marks that provide evidence of this shoe being of unacceptable quality)

This product presented with blue colouring along the midsole that does not match your "white midsole" description. This product also has yellowing of the sole which does not match your "translucent sole" description. Both these faults are evidence that the product that you have sent me does not match the description given to them by your company on your website/app. (I have attached photos of the midsole colouring that is evidence that it does not match your description and the yellowing of the sole which also does not match your description)

Due to these examples provided above you may be in breach of section 54 of Consumer Affairs laws: goods are of acceptable quality—that is, they are safe, durable and free from defects, are acceptable in appearance and finish. You may also be in breach of section 56 Consumer Affairs laws: goods match any description given to them.

I attempted to resolve this with your company on multiple occasions over multiple days with no success. I initially was in contact with a team member of your named Erik who was unable to help resolve the issue and did not offer a remedy I then was able to get in contact with a member of your team named Kevin who offered to review the product for us but again and no success in receiving a refund that I am entitled to by law. I have attached the email of Kevin stating he would attempt to resolve the issue on the 28<sup>th</sup> of December, 2021.

As you have stated on your website that you are a company that is "Committed to what's right" and "Champion for your customers" and are "always listening so you can deliver a quality experience" that myself as a customer deserves every day I know you will be respectful in honoring my right to a remedy of my choosing to request a brand new pair of unworn Jordan 1 Retro High Spider-Man Origin Story shoes in its original box. If this cannot be arranged, I would like you to honor the rights I am entitled to receiving a full refund of \$1,331.20 AUD.

Please respond to my email within seven working days. If I do not hear from you, I will have no other option but to take my complaint further and open a case with Consumer Affairs.

I have attached photos of problems with the product, prior correspondence to try and resolve this and receive my refund and a photo of the order form for the product.

Yours sincerely

On Sat, Dec 25, 2021 at 12:47 AM [support@stockx.com](mailto:support@stockx.com) <[support@stockx.com](mailto:support@stockx.com)> wrote:

Hey there Malinda!

Thank you for reaching out to StockX Support. We've received your message and Case #CAS-594510-Y4J8K7: "General Purchasing" has been created. If you haven't already provided the following information, please reply to this email with it to help us serve you faster:

- Email address associated with your StockX account
- Order # if applicable
- Description of your case

Our Customer Support Team will respond to you as quickly as we can, generally within 24 hours. While we share your urgency, please only submit one case per inquiry.

The most current order information will always be found at [stockx.com/account](https://stockx.com/account).

For information on payout setup, account verification, payout history viewing, and payout tracking, visit our [Payout Support Center](#).

We're working hard to improve the service we provide you, including resolving your issues faster. Remember to check out our [Help Center](#), as it may have the answers you are looking for!

We look forward to connecting with you soon!

Thank you,  
StockX Support  
<https://stockx.com/help>